

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEN WALKER,

Plaintiff,

v.

COURT OF COMMON PLEAS OF  
MONROE COUNTY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:12-CV-2206

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

NOW this 29<sup>th</sup> day of August, 2013, upon review of the Report and Recommendation of Magistrate Judge Carlson (Doc. 38) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 38) is **ADOPTED**.
- (2) Defendants' Motion to Dismiss for Failure to State a Claim (Doc. 35) is **GRANTED**.
- (3) The action is **DISMISSED WITH PREJUDICE**.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo  
United States District Judge